

1 **CARLYON CICA CHTD.**
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12 *Counsel for Chris McAlary*

13 **UNITED STATES BANKRUPTCY COURT**

14 **DISTRICT OF NEVADA**

15 In re:

16 CASH CLOUD, INC.,
 17 dba COIN CLOUD,

18 Debtor.

19 Case No.: Case No. BK-S-23-10423-MKN

20 Chapter 11

21 **SUPPLEMENTAL DECLARATION
 22 OF DAWN M. CICA, ESQ. IN
 23 SUPPORT OF EX PARTE
 24 APPLICATION FOR ORDER
 25 SHORTENING TIME TO HEAR
 26 MOTION TO CONVERT CASE TO
 27 CHAPTER 7**

28 Hearing Date: OST REQUESTED
 29 Hearing Time: OST REQUESTED

30 I, DAWN M. CICA, ESQ., hereby declare as follows:

31 1. I am an attorney licensed to practice law in the State of Nevada, and I am a
 32 principal of the law firm of Carlyon Cica Chtd., counsel for Chris McAlary (“McAlary”).

33 2. I make this declaration in support of *Ex Parte Application for Order Shortening
 34 Time to Hear the Motion to Convert Case to Chapter 7* (the “Application”).

35 3. This Declaration is based upon my personal knowledge, and if called to testify
 36 thereto, I could and would competently do so under oath.

37 4. I had ongoing settlement conversations with Debtor’s counsel regarding the
 38 estate’s claims asserted against Mr. McAlary in the July 28, 2023 letter, including forwarding

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1 a draft asset purchase agreement to the Debtor on August 1, 2023 to purchase all of the
2 remaining claims of the estate which included the claims asserted against Cole Kepro and Mr.
3 McAlary. Subsequent thereto it was my belief that Debtor's counsel and I had agreed that
4 Debtor's counsel would approach counsel for the Committee to suggest a settlement
5 conference. The Committee has no standing to resolve the estate's claims, which was even
6 more clearly the case prior the filing of the *Stipulation Granting Derivative Standing to the*
7 *Official Committee of Unsecured Creditors with Respect to Certain Actions* [ECF No. 1009]
8 (the "Stipulation") on August 3, which Mr. McAlary has opposed. Mr. McAlary's written
9 response to the allegations in the Committee's letter was provided to the Committee today, less
10 than two business days after the Stipulation was entered on the docket. A request was made
11 for a settlement conference.

12 5. I hereby declare under the penalty of perjury that the foregoing is true and
13 correct to the best of my knowledge, information and belief.

14 DATED this 8th day of August 2023.

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16 */s/ Dawn M. Cica*
DAWN M. CICA, ESQ.
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CERTIFICATE OF SERVICE

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

FAXSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Nancy Arceneaux

An employee of
Carlyon Cica Chtd.